SOUTHERN DISTRICT OF NEW YORK	V	
PAUL DENVER,	: : :	
Plaintiff,	:	22-CV-5103 (JMF) (GWG)
-V-	:	SCHEDULING ORDER
KILOLO KIJAKAZI and SOCIAL SECURITY ADMINISTRATION,	: : :	
Defendants.	: : :	
	X	

JESSE M. FURMAN, United States District Judge:

INITED STATES DISTRICT COLDT

By separate Order today, the Court is referring this case to the assigned Magistrate Judge for a report and recommendation on any motion for judgment on the pleadings. In accordance with this District's Standing Order governing challenges to denials of social security benefits (*see In re: Mots. J. Pleadings Social Sec. Cases*, 16-MC-0171), the following briefing schedule applies:

- Within 90 days of service, the Commissioner must serve and file the Electronic Certified Administrative Record (e-CAR), which will constitute the Commissioner's answer, or otherwise move against the complaint.
- If Plaintiff wishes to file a motion for judgment on the pleadings, Plaintiff must do so within 60 days of the date on which the e-CAR was filed. The motion must contain a full recitation of the relevant facts and a full description of the underlying administrative proceeding.
- The Commissioner must file an answering brief within 60 days of the filing of Plaintiff's motion.
- Plaintiff may file a reply within 21 days thereafter.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss

Case 1:22-cv-05103-JMF-GWG Document 6 Filed 06/21/22 Page 2 of 3

whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further

proceedings before the assigned Magistrate Judge.

If both parties consent to proceed before the Magistrate Judge, counsel for Defendant

must, within two weeks of the date on which Defendant enters an appearance, file on ECF a

fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a

copy of which is attached to this Order (and also available at

https://www.nysd.uscourts.gov/node/754). If the Court approves that form, all further

proceedings will then be conducted before the assigned Magistrate Judge rather than before the

undersigned.

If either party does not consent to conducting all further proceedings before the assigned

Magistrate Judge, the parties must file a joint letter, within two weeks of the date on which

**Defendant enters an appearance** advising the Court that the parties do not consent, but

without disclosing the identity of the party or parties who do not consent. There will be no

adverse consequences if the parties do not consent to proceed before the Magistrate Judge.

SO ORDERED.

Dated: June 21, 2022

New York, New York

ESSE M. FURMAN

United States District Judge

2

## UNITED STATES DISTRICT COURT

for the

Sou	uthern District of New York	
Plaintiff V. Defendant	) ) () () Civil Action No. ) )	
NOTICE, CONSENT, AND REFER	ENCE OF A CIVIL ACTION TO A MAGIST	RATE JUDGE
proceedings in this civil action (including a jury o	ty. A United States magistrate judge of this court r nonjury trial) and to order the entry of a final judger of appeals like any other judgment of this court. rily consent.	gment. The judgment mag
	red to a magistrate judge, or you may withhold you y withholding consent will not be revealed to any	
	ity. The following parties consent to have a Unite ial, the entry of final judgment, and all post-trial	
Parties' printed names	Signatures of parties or attorneys	Dates
order the entry of a final judgment in accordance	Reference Order  ed to a United States magistrate judge to conduct e with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73	
Date:	District Judge's signa	ature

Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States Note: magistrate judge. Do not return this form to a judge.

Printed name and title

Save As... Reset